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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/093,271	06/08/1998	TOSHIYA FUJII	50L1801/897	7030

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EXAMINER

HUYNH, SON P

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 11/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/093,271

Applicant(s)

FUJII, TOSHIYA

Examiner

Son P Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20, 40 and 43-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20, 40, 43-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 20, 40, 43-54 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 48 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 48 recites the limitation "said video tag" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20, 40, 43-47, 49, 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klosterman et al. (US 5,940,073).

Regarding claim 20, Klosterman discloses a web page 680 shown to the user when the user chooses to connect to the NBC web page. Web page 680 comprises window 688, which shows the television program that the user was viewing before the user selected virtual channel 640 from program guide screen 600. The user may resume watching the television program by clicking on window 688 (see col. 9, line 49-col. 10, line 16).

Klosterman further suggests web page 680 is scrollable (see figure 6d). Inherently, Klosterman teaches a system for selectively accessing video data and page data, comprising:

a format manager for manipulating the video data and the page data, the video tag is inserted into the web page 680, and selectively positioning the video tag to vertically locate a video window 688 on a display device in relation to a current reference position on the display device, the video window being repositionable and resizable within the page data on the display device (window 688 can be enlarge by clicking on it); the page data being scrollable with reference to the video window on the display device (rolling up and down using up/down arrows);

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a processor for controlling the format manager, whereby the video data and the page data are simultaneously shown on the display device. However, Klosterman does not explicitly disclose the format manager copying the page data to create duplicate page data, the format manager recomputing the current reference position each time the duplicate page data is scrolled, the current reference position being computed by combining a prior reference position and a scroll value, the scroll value is positive when the Internet page data is scrolled down and the scroll value is negative when the Internet page data is scrolled upwards. It is obvious to one of ordinary skill in the art that the format manager copying the page data to create duplicate page data, the format manager recomputing the current reference position each time the duplicate page data is scrolled, the current reference position being computed by combining a prior reference position and a scroll value, the scroll value is positive when the Internet page data is scrolled down and the scroll value is negative when the Internet page data is scrolled upwards in order to allow programmer to make changes while working on the page without changing the data in original page and give more convenience to user while viewing desired data on the page thereby improve efficiency.

Regarding claim 40, the limitations of the method as claimed in claim 40 correspond to the limitations of the system as claimed in claim 20 and are analyzed as discussed with respect to the rejection of claim 20.

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Regarding claim 43, Klosterman discloses a web page 680 shown to the user when the user chooses to connect to the NBC web page. Web page 680 comprises window 688, which shows the television program that the user was viewing before the user selected virtual channel 640 from program guide screen 600. The user may resume watching the television program by clicking on window 688 (see col. 9, line 49-col. 10, line 16).

Klosterman further suggests web page 680 is scrollable (see figure 6d). Inherently, Klosterman teaches a system for selectively accessing video data and Internet page data, comprising:

a format manager for manipulating the video data and the Internet page data, the format manager providing a video window 688 on a display device for display the video data, the video window being selectively positionable and sizeable within the Internet page data (positioned at the bottom right of the web page and can be enlarge by clicking on the window). The Internet page data being scrollable with reference to the video window by utilizing a scroll value (rolling up and down using up/down arrows);

a processor configured to control the format manager, whereby the video data and the Internet page data are simultaneously shown on the display device. However,

Klosterman does not specifically disclose the scroll value is positive when the Internet page data is scrolled down and the scroll value is negative when the Internet page data is scrolled upwards. It is obvious to one of ordinary skill in the art that the scroll value is positive when the Internet page data is scrolled down and the scroll value is negative when the Internet page data is scrolled upwards in order to achieve design of programmer.

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Regarding claim 44, Klosterman discloses a video window 688 in web page 680 as shown in figure 6d. Inherently, the format manager positions a video tag to vertically locate the video window 688 on the display device in relation to a current reference position on the display device.

Regarding claim 45, Klosterman teaches a system as discussed in the rejection of claim 44. However, Klosterman does not specifically disclose the format manager copies the Internet page data to create duplicate Internet page data for displaying on the display device. It is obvious to one of ordinary skill in the art that the format manager copies the Internet page data to create duplicate Internet page data for displaying on the display device in order to allow programmer making changes while working on the duplicate Internet page without effecting the original Internet page.

Regarding claim 46, Klosterman discloses up/down arrows to allow user to scroll web page 680 upward/downward (see figure 6d). However, Klosterman does not specifically disclose the format manager recomputes the current reference position each time the Internet page data is scrolled on the display device in relation to the video window. It is obvious that the format manager recomputes the current reference position each time the Internet page data is scrolled on the display device in relation to the video window in order to provide convenience to user when viewing data at a desired position on web page 680 without holding the up/down arrows.

Regarding claim 47, Klosterman teaches a system as discussed in the rejection of claim 46. However, Klosterman does not specifically disclose the current reference position is recomputed by combining a prior reference position and a scroll value. It is obvious to one of ordinary skill in the art that the current reference position is recomputed by combining a prior reference position and a scroll value in order to provide an alternative option to locate the current reference position.

Regarding claim 49, Klosterman teaches the video displayed in video window 688, when the user select to enlarge or reduce video window, the video window is enlarged or reduced horizontally and vertically sizes to a predetermined size and be positioned at a predetermined position on the web page (see figure 6d and col. 9, line 49+).

Regarding claim 53, Klosterman teaches the video window 688 can be enlarged or reduced by clicking the window (see col. 9, lines 54-67). However, Klosterman does not specifically disclose a horizontal location, vertical location, horizontal size and vertical size of the video window are each selectable by a system user by utilizing a remote control device. It is obvious to one of ordinary skill in the art that horizontal location, vertical location, horizontal size and vertical size of the video window are each selectable by a system user by utilizing a remote control device in order to allow user to adjust the video window to a user desired location and size.

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Regarding claim 54, Klosterman teaches the display device is implemented as a television device, and wherein the format manager and the processor are implemented in a set top box coupled to the television device (see figure 1 and col. 4, line 26+).

6. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Klosterman et al. (US 5,940,073), in view of Judson (US 5,572,643).

Regarding claim 48, Klosterman teaches a system as discussed in the rejection of claim 43. The video window is displayed in a predetermined position on the screen (figure 6d). Inherently, the window width parameter to specify a window width of the video window, a window height parameter to specify a window height of the video window. However, Klosterman does not specifically disclose the video tag includes a video source parameter to indicate a source of video data for inserting into the video window, a blank window name for identifying the video window, a horizontal alignment parameter that specifies a horizontal position of the video window.

Judson discloses object tag includes a object source parameter (PTO seal) to indicate a source of object data for inserting into the object window; horizontal alignment parameter that specifies a horizontal position of the object window and information includes fill-in forms (see figures 5-8, col. 1, line 60+). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify

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Klosterman to use the teaching as taught by Judson in order to allow the page developer to display the object at a desired location on the screen.

7. Claims 50 – 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klosterman et al. (US 5,940,073), in view of Coleman et al. (US 5,844,620).

Regarding claim 50, Klosterman teaches a system as discussed in the rejection of claim 43. However, Klosterman does not specifically disclose automatically reformats text data and graphics data from the page data to optimally utilize a remaining area of the display device that is not utilized to display the video window, automatically reformatting the text data and the graphics data from the page data to avoid the video window while maximizing an amount of the text data and the graphics data displayed on the display device.

Coleman teaches automatically reformats text data and graphics data from the page data to optimally utilize a remaining area of the display device that is not utilized to display the video window, automatically reformatting the text data and the graphics data from the page data to avoid the video window while maximizing an amount of the text data and the graphics data displayed on the display device (see figures 6-8 and col. 20 line 59+). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the teaching as taught by Coleman in order to avoid or minimize any unused area of the display (col. 21, lines 10-17).

Regarding claim 51, Klosterman in view of Coleman teaches a system as discussed in the rejection of claim 50. Klosterman further suggests using up/down arrows to scroll through the web page (figure 6d). However, neither Klosterman nor Coleman specifically discloses automatically reformats the text data and the graphics data from the page data each time the Internet page data is scrolled on the display device. It would have been obvious to one of ordinary skill in the art that the page is automatically reformatted the text data and the graphics data in order to maximize space used on the display.

Regarding claim 52, Klosterman in view of Coleman teaches a system as discussed in the rejection of claim 50. Coleman further teaches a specific pre-determined criteria for determining how to automatically reformat the text data and the graphics data are selectable by a system user (resize or transparent or overlapped- see figures 6-9, and col. 5, line 15+).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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England (US 6,144,991) teaches system and method for managing interactions between users in a browser-based telecommunication network.

Nawaz et al. (US 5,959,621) teaches system and method for displaying data items in a ticker display pane on a client computer.

Brown et al. (US 6,278,448) teaches composite web page built from any web content.

Bates et al. (US 6,204,845) teaches ergonomic viewable object processor.

Legall et al. (US 6,005,565) teaches integrated search of EPG, Internet and other information resources.

Hendricks et al. (US 6,515,680) teaches inserting video data into a blank window (figure 29a+).

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-306-0377.

Son P. Huynh
November 17, 2003



VIVEK SRIVASTAVA
PRIMARY EXAMINER